सत्यमेव जयते

# INDIA NON JUDICIAL

## Government of Karnataka

Rs. 5,000

**e-Stamp**

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|---|---|---|
| **Certificate No.** | : | **IN-KA07745139420185Q** |
| Certificate Issued Date | : | 17-Dec-2018 03:23 PM |
| Account Reference | : | NONACC (FI)/ kaksfcl08/ YELAHANKA2/ KA-BN |
| Unique Doc. Reference | : | SUBIN-KAKAKSFCL0851135708313429Q |
| Purchased by | : | M S SATHYA CONSTRUCTIONS |
| Description of Document | : | Article 12 Bond |
| Description | : | AGREEMENT |
| Consideration Price (Rs.) | : | 0 (Zero) |
| First Party | : | THE EXECUTIVE ENGINEER TEC BBMP |
| Second Party | : | M S SATHYA CONSTRUCTIONS |
| Stamp Duty Paid By | : | M S SATHYA CONSTRUCTIONS |
| Stamp Duty Amount(Rs.) | : | 5,000 (Five Thousand only) |

MAHAYOGI VEMANA SOUHARDA PATTINA SAHAKARI NIYAMITHA YELAHANKA

M S SATHYA CONSTRUCTIONS IN-KA07745139420185Q RS. 5,000 17-DEC-2018 03:23 PM

Please write or type below this line

**Agreement No:** BBMP/EE/RI-TEC/AG/15 /2018-19

This Contract is made on the 11th day of the month of January, 2019, between Bruhat Bangalore Mahanagara Palike, represented by the **Executive Engineer, Road Infrastructure,Traffic Engineering Cell, Bangalore.**

Executive Engineer TEC

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Statutory Alert:
1. The authenticity of this Stamp Certificate should be verified at "www.shcilestamp.com". Any discrepancy in the details on this Certificate and as available on the website renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

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**And**

R Satheesh (Sathya constructions), #600,Down bazaar road, Yelahanka, Bangalore-560064

WHEREAS, the Agency is willing to perform these services, **"Restoration of Road Cut portion done by BWSSB, BESCOM, GAIL, KPTCL and Other Agencies "On Back to Back Road Restoration Basis" in Bruhath Bengaluru Mahanagara Palike Limits in Yelahanka Zone"** (hereinafter called "the Works") and the Employer has accepted the Tender from the Above Contractor for the execution and completion of the above work.The Agency has submitted the Performance Guarantee amount Through Deposit Receipt for an amount of **Rs.25,00,000/- Bank Guarantee No:-10401BGIS190001 Dated :-07.01.2019 from the Vijaya Bank, Bytarayanapura Branch, Bellary Road Bangalore, Which is Valid up to 07-01-2020.**

NOW THEREFORE THE PARTIES hereby agree as follows:

**1. Services:**

The Client has requested the Agency to provide certain Restoration of Road cutting services as defined in the Terms of Reference and Scope of Services attached to this Contract (hereinafter called the "Services");

**2.Term:**

The Agency shall perform the Services for 24 Months

**3.Payment:**

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## A. Ceiling:

For Services rendered pursuant to Terms of Reference and Scope of Services, the Client shall pay the Agency for the unit rates as below: -

| Sl. No. | Description of item | Unit | Rate (Rs) | |
|---|---|---|---|---|
| | | | Infigures | Excluding GST 12% Inwords |
| Restoration of Road cut Portion by removing and disposing all failed material, trimming of completed excavation to Provide firm vertical faces, cleaning of surface, Strengthening of sub grade, Granular sub base, Wet mix macadam including pre mixing the material with water at OMC, Compaction and finally applying prime coat, Tack coat( 900, 1200 and 1500 mm width of Road cutting) and Asphalt layer of Bituminous macadam( 900, 1200 and 1500 mm width of Road cutting) and Semi Dense Bituminous concrete and restoration of rain cuts with specified soil as per the specification and drawing | | | | |
| 1 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (600mm width of road Cutting ) | per meter | 626.88 | Rupees Six Hundred TwentySix Paise EightyEight Only |
| 2 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (750mm width of road Cutting ) | per meter | 785.18 | Rupees Seven Hundred EightyFive Paise Eighteen Only |
| 3 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (900mm width of road Cutting ) | per meter | 957.56 | Rupees Nine Hundred FiftySeven Paise FiftySix Only |
| 4 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (1200mm width of road Cutting ) | per meter | 1253.80 | Rupees One Thousand Two Hundred FiftyThree Paise Eighty Only |
| 5 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (1500mm width of road Cutting ) | per meter | 1584.42 | Rupees One Thousand Five Hundred EightyFour Paise FourtyTwo Only |
| 6 | For attending pit formed by cable agency for laying cable lines by HDD method | per meter | 2180.80 | Rupees Two Thousand One Hundred Eighty Paise Eighty Only |

**4.** The following documents attached hereto shall be deemed to form an integral part of this Contract:

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(a) Letter of Acceptance;

(b) Notice to proceed with the works

(c) Drawings;

(d) The General Conditions of Contract (hereinafter called "GC"); (b) The Special Conditions of contract (hereinafter called "SC"); (c) The following

Appendix A: Terms of Reference and Scope of Services

**5.** The Defects Liability Period is 365 days from the date of completion of each road cut restoration reach.

**6.** The mutual rights and obligations of the Client and the Firms shall be as set forth in the Contract; in particular:

(a) The Agency shall carry out the Services in accordance with the provisions of the Contract; and

(b) The Client shall make payments to the Firms in accordance with the provisions of the Contract.

**7.** Special Condition of the contract (SC):

a) This work is awarded to the client/contractor as based on unit rates and the service is extended further as review of previous service work. 5% i.e., Rs.25,00,000/-) than the additi

b) In case the portion of work is more than the contract value (if the security deposit exceed onal security deposit has to be produce by the contractor for additional work in the form of Bank Guarantee.

IN WITNESS WHEREOF, the Parties hereto have caused this Contract to be signed in their respective names as of the day and year first above written.

Executive Engineer TEC

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**For the Client**

11/1/19

Signed by:

Name and designation

Date:

Place

**For the Agency**

Signed by:

Name and designation

Date:

Place:

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# AppendixA:

## TERMSOF REFERENCE/DESCRIPTION OF THE SERVICES

In BBMP, Presently the road cutting requests of all utility agencies such as BWSSB, KPTCL, BSNL,etc are being processed through the online Multi Agency Road Cutting Coordination System (MARCCS) and these utility service companies such as BESCOM, BWSSB etc restore the road cut portions themselves. However due to improper restoration, roads are found to be rutting in the restored portion or have potholes. This results in slow traffic movement and discomfort to road users and in certain cases potholes result in road accidents.

From the viewpoint of smooth and safe flow of traffic and commuter comfort BBMP has been assigned with the responsibility of according road cutting permissions, collecting restoration charges from the utility agencies for restoring the roads properly in timely manner. Hence BBMP intends to procure the services of an Agency which has required quantity of equipment, labour and material specified at its disposal and can complete the assigned restorations in a timely manner.

Bruhat Bengaluru Mahanagara Palike, (BBMP) through Executive Engineer (TEC Division) on behalf of the Commissioner is undertaking restoration of various roads dug up for laying essential utility conduits and cables by utility provider organisations such as BWSSB, BESCOM etc or the OFC companies in Bangalore city.

## 1. OBJECTIVES

The primary objective of the client for hiring the services of the Firm is to achieve,

- Restoration of road dug up/cut portions in BBMP limits as per standards specified.
- To eradicate potholes and bad stretches which get produced because of the poor quality of restoration.
- To ensure smooth flow of traffic and commuter comfort

## 2. DETAILED SCOPE OF SERVICES:

The Nodal Officer-MARCCS, BBMP will electronically forward the "work vouchers" to the Agency indicating and authorizing road restoration works to be carried out. From time to time The Agency shall notify the BBMP jurisdictional Engineer and Traffic Police as required to carry out the restoration works as specified.

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The works shall be carried out with required signage and safety measures. To execute the restoration of road cut portions, the Agency will provide required equipment and machinery in good working condition including required labour. The required materials as per specification shall also be provided by the agency. The agency will begin and complete the assigned restorations in a timely manner as per schedule/on emergency basis whenever necessary in acceptable quality and with good workmanship.

Restoration Services shall be provided throughout the year including monsoon period and it is binding on the Agency to restore all the road cut portions assigned; in line with specified specifications, conditions and quality within time stipulated. The Agency shall complete the entire stretch that needs to be restored as per the work voucher and no part payment will be made for the incomplete or partial work done.

## 2.1. ROAD RESTORATION PROCESS:

This Item shall govern for the restoration of road cut portions.

### 2.1.1. WORK ALLOCATION

A. BBMP processes online road cutting requests through MARCCS(BWSSB, BESCOM, GAIL,KPTCL & other agencies). The online road cutting permission specifies time limit for road cutting and utilities installation. After laying of utilities, the road cut portions will be available for restoration.

B. BBMP MARCCS(BWSSB, BESCOM, GAIL,KPTCL & other agencies) Nodal officer will electronically issue "work vouchers" for road cut portions to be restored indicating road name, location, length, ready-for-restoration dates of each road cut portion.

C. The Agency to begin the restoration on the assigned date and complete the work by indicated date.

D. BBMP MARCCS(BWSSB, BESCOM, GAIL,KPTCL & other agencies) Nodal officer can release emergency work vouchers which the Agency is liable to take up on war footing and conclude, while ensuring other scheduled works go on as planned. There will not be any additional payment/remuneration for any emergency works.

## 2.1.2. SPECIFICATIONS

The Agency shall procure and provide all materials. The Agency shall use materials that meet the requirements of the Specifications For Road and Bridge Works"(Fourth Revision–2001),as corrected in the original issued by the Ministry of Road Transport &Highways (MORT&H), Government of India and published by the Indian Roads Congress(IRC) specifications. The equipment provided should be as specified.

## 2.1.3. CONSTRUCTION METHODS:

### 2.1.3.1. General

#### 2.1.3.1.1. Removal and Disposal of excavated Pavement, Base course and sub-base material

Excavated pavement shall be disposed of in a proper manner. Base course and Sub-base material may be removed and stockpiled off of the road surface area for reuse during backfilling, if it meets specifications.

#### 2.1.3.1.2. Traffic Management

Traffic Management should be achieved in consultation with the Traffic Police. The required barrier, signage, Information boards, diversions cones/traffic control devices and flag people need to be deployed on both directions of traffic flow.

#### 2.1.3.1.3. Storage of Construction Equipment and Materials in RoW

The temporary storage of construction equipment and material in the public Right-of-Way in connection with utility projects is permitted, provided such storage shall not block the Movement of the vehicles and Public.

#### 2.1.3.1.4. Safety Precautions

Safety standards relating to the shoring and stabilization of trench sides should be maintained. Open trenches shall be appropriately barricaded.

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Trenches left in an open condition shall be marked with Warning signs, barricades and lights.

**2.1.3.1.5. Road Closure**

Closure of any road, approach, or other access points shall be approved by BBMP and Traffic Police.

**2.1.3.1.6. Private property entrance Closures**

The use of entrance to adjacent properties should be arranged properly for easy movement. Every effort shall be made to minimize closures and to open with short time. If closure of entrances is required, the service provider shall notify the owners in advance regarding time and period of closure.

**2.1.3.1.7. Notice before Beginning Work**

No additional notice to either to local BBMP officers or the Police is mandatory for the restoration tasks if the work is being taken up in ward roads during day hours. However the Traffic Police/ The Executive Engineer of the area need to be informed by the Agency carry out restoration work at least 1 day in advance

**2.1.3.1.8. Accidents**

If vehicle accidents or pedestrian incidents occured during restoration works, the occurrence must immediately be reported to the concerned Chief Engineer, EE of the area and the Police station

**2.1.3.1.9. Restoration of Property**

If Existing pavements, footpaths, curbs, lawns, shrubbery, trees, hedges, walls, fences, buildings, other existing improvements, pavement markings, and signage or any damage shall be replaced immediately or restore to their original Position and conditions.

**2.1.3.1.10. Inspection Costs**

In case of damage to private property, if the necessary inspection required by the BBMP / Consultant/ any of the agency the same supervision

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/ charges of inspection should be born by the agency. As per the special clause of contract.

**2.1.3.1.11. Notice of Completed Work**

The Agency shall notify the Nodal Officer – MARCCS(BWSSB, BESCOM, GAIL,KPTCL & other agencies), BBMP in writing for each restoration work.

## 2.1.3.2. Backfilling

**2.1.3.2.1. Preparation of Trench**

The bottom of the trench shall be prepared with proper compaction. The subgrade of the trench shall be kept free of standing water/ loose material

**2.1.3.2.2. No Deformation or Damage to Utility**

The restoration work, including backfill, shall be carried out in a manner that ensures no deformation, displacement or damage to the utility / degradation to the structural integrity of the roadway.

**2.1.3.2.3. Backfill**

The road cut portion should be backfilled immediately as per the specification.

**2.1.3.2.4. Compaction**

The sub grade shall conform to the lines, grades and cross-sections as per the drawing approved . The backfill material shall be compacted in successive layers should not to exceeding 150 mm thick. The completed surface shall be free from rutting or other objectionable irregularities.

## 2.1.3.3. Sub base Preparation

**2.1.3.3.1. Sub base Grade and Cross Sections**

Sub base material shall conform to the lines, grades, cross sections and thickness as per the approved design and drawing and maintained as per the specification

**2.1.3.3.2. Sub base Placement where roller compaction**

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**can be implemented**

Sub base should be filled and spread, without particle segregation in loose layers as per specification.

**2.1.3.3.3. Sub base Placement where roller compaction cannot be implemented due to limited width of the excavation**

Quarry dust shall be filled in the trench up to base course level and water sprinkled. Care should be taken to avoid any air pockets or voids.

### 2.1.3.4. Base Course

2.1.3.4.1. **Base Course Grades and Cross Sections**

Base course should be spread in uniform layers as per specification on well prepared surface to achieve the desired density.

2.1.3.4.2. **Compaction Equipment**

Compaction equipment must be on the job site before excavation is started. Compaction equipment must be capable of compacting within the trench width limits to avoid shrinkage and undulations.

### 2.1.3.5. Top Course

2.1.3.5.1. **Asphalt Placement**

The road cut portion should be covered with open graded pre mix carpet of 20mm thick on prepared surface as per specification.

2.1.3.5.2. **Excavation across More than One Traffic Lane**

When road surface damage involves more than one traffic lane, a full width of wearing coat of graded pre mix carpet (OGPC) should be laid.

**2.1.4. Final Cleanup**

Roads shall be cleaned after completing the restoration work. If any excess soil / debries remained found extra should be disposed of immediately.

**2.1.5. Reporting**

The Agency should report the final completion of

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restoration work with all details such as road length, location and date of completion with all relevant test reports

**2.1.6. Measurement**

The restoration work carried out by the agency should be measured jointly only after final completion of the work and partially completed work will not be measured.

**2.1.7. Payment**

Payment will be made as per the clause mentioned in special condition of contract

**2.2. Penalties**

Agency will be penalized as per the penalty clause mentioned in special condition of contract

**2.3. Dispute Resolution**

The decision of the Commissioner, BBMP, Bangalore shall be final on both the Client and firm in case of any dispute between the Client and the Firm.

## 3. SPECIFIC RESPONSIBILITIES OF THE AGENCY

The Agency shall be fully responsible for collecting data and information from all BBMP offices comes under BBMP Jurisdiction. All information, data and reports obtained from the BBMP offices regarding restoration work shall be properly reviewed and analyzed by the Firm. The responsibility for the correctness of using such data shall rest with the Firm. All such information collected by the BBMP offices shall be treated as confidential.

The Agency shall be responsible for arranging all machines, labour, materials, necessary site office with required facilities, transportation, equipment supplies, surveys, investigations services should be arranged

## 4. OBLIGATIONS OF BBMP

4.1. BBMP will make avail Road Restoration works at its discretion to the Agency.

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4.2. BBMP will make on time payments to the Agency for monthly bills only after completing the restoration work as per the tender clause Documents

4.3. BBMP shall provide all data and reports available for the execution of the work

4.4. Liaison and Access: BBMP shall act as one-point contact and provide liaison with other Government agencies and Departments.

Executive Engineer
Traffic Engineering Cell (Rf)
Bruhath Bengaluru Mahanagar Palike
Bengaluru-560 002

Executive Engineer TEC

Agency

# BRUHAT BANGALORE MAHANAGARA PALIKE

Office of the Executive Engineer, TEC (Road Infrastructure), Annexure-3 Building, Ground floor, BBMP Head Office, N.R. Square, Bangalore. -560002.

NO: EE/TEC/WO/12/2018-19 Date:- 11-1-2019

To,
R Satheesh (Sathya constructions)
#600,Down bazaar road,
Yelahanka,
Bangalore-560064

## NOTICE TO PROCEED WITH THE WORK (WORK ORDER)

**Sub: "Restoration of Road Cut portion done by BWSSB, BESCOM, GAIL, KPTCL and Other Agencies "On Back to Back Road Restoration Basis" in Bruhath Bengaluru Mahanagara Palike Limits in Yelahanka Zone"**

**Ref**: - Your Agreement No: EE/TEC/AG/15/2018-19, Dated: - 11-1-2019

* * * * *

By Virtue of having executed the agreement and same has been accepted by competent authority. The Agency shall perform the Services for 24 Months. For Services rendered pursuant to Terms of Reference and Scope of Services, the Client shall pay the Agency for the unit rates as below: -

| Sl. No. | Description of item | Unit | Rate in Rs |
|---|---|---|---|
| 1 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (600mm width of road Cutting ) | per meter | 626.88 |
| 2 | Restoration of road cut portion done by BWSSB/BESCOM /KPTCL in roads under BBMP limits (750mm width of road Cutting ) | per meter | 785.18 |
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| 6 | For attending pit formed by cable agency for laying cable lines by HDD method | per meter | 2180.80 |

You are here by instructed to proceed with the execution of the said work in co-ordination with the concerned MARCCS agencies and concerned divisional, Sub-divisional, & zonal officers of Yelahanka Zone and complete as per the agreement.

11/1/19

**Executive Engineer (TEC)**
Bruhat Bangalore Mahanagara Palike

1) Copy submitted to Chief Engineer (Road Infrastructure) for kind information.
2) Copy submitted to Superintendent Engineer (Road Infrastructure) for kind information.
3) Office Copy.